

Appl. No. 10/726,922
Amdt. Dated 12/22/06
Reply to Office Action of 8/22/06

Remarks & Arguments

In the Office Action, the Examiner noted that Claims 1-10 and 24-26 are pending in the application, Claims 24-26 are allowed and that Claims 1-10 are rejected. The Examiner's rejections are traversed below.

Rejections Under 35 U.S.C. 102

Claims 1-6 and 8-10 stand rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent Application Publication No. 2004/0195618 to Saito. The Office asserts that "there is no corresponding drawing figure or explanation [in the affidavit] that corresponds to application Fig. 4. Fig. 4 of the application shows the P region (430) completely surrounding the gate region (422). No such disclosure or explanation is depicted in applicant's affidavit." The applicants respectfully disagree with the Office's position, and submit that the affidavit does show and explain of the embodiments of Claims 1-10. The left-side of Figure 6 in the Affidavit shows the view corresponding to the left-side of the isometric view in Figure 4 of the Application. Both figures clearly show that "a first portion of said drain region overlaps said parallel structure." The right-side of Figure 6 in the Affidavit shows the view corresponding to the right-side of the isometric view in Figure 4 of the Application. Furthermore, the description states "one realizes regular open bottom trench structures and implant Boron to close the bottom of the orthogonal trenches. Boron is a P-type dopant that is implanted "completely surrounding the gate region (422)." Therefore, both figures clearly show that "a second portion of said drain region is

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separated from said normal-to-parallel structure.” Accordingly, Applicants respectfully assert that the Affidavit sufficiently shows conception and reduction to practice of the embodiments of Claims 1-10 that is earlier than the Saito reference. Applicants, therefore, request that the anticipation rejection of Claim 1-6 and 8-10 be withdrawn and that Claim 1-6 and 8-20 be allowed.

Rejection Under 35 U.S.C. 103

Claim 1 stands rejected under 35 U.S.C. 103 as being obvious in view of the combination of U.S. Patent Application Publication No. 2004/0195618 to Saito and U.S. Patent Application Publication No. 2003/0062570 to Darwish. Applicants respectfully submit that Claim 7 is allowable by virtue of its dependency on respective base Claim 1, as well as the additional elements it recites. In particular, as discussed above, the Affidavit clearly shows an earlier date of conception and reduction to practice than the Saito reference. Accordingly, Applicants also request that the obviousness rejection of Claim 7 be withdrawn and that Claim 7 be allowed.

Conclusion

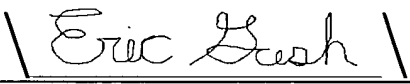
For all the reasons advanced above, Applicants respectfully submit that the present application is in condition for allowance and that action is earnestly solicited. The Examiner is invited to contact Applicants’ undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

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The Commissioner is hereby authorized to charge any additional fees, which may be required for this amendment, or credit any overpayment, to Deposit Account 23-0085. In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP

A handwritten signature in cursive script, reading "Eric J. Gash", is written over a horizontal line. The signature is flanked by two short vertical lines on either side.

Dated: December 22, 2006

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